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6, 2001 Office Action, the added material that is not supported by the original disclosure is:

"the light having the information of object is reconstructed light obtained by reconstructing a transmission-type hologram which is formed by object light obtained by irradiating the object which is positioned between a slit and the transmission-type hologram"

Original claim 1 reads as follows.

An optical display apparatus, comprising a hologram device and a light source, wherein the hologram is a reflection-type hologram formed by:

light having information of an object *which is obtained by using light having passed through a slit*; and

reference light having an incident optical path different from that of the light having the information of the object , *and* wherein

a reconstructed image of the object is displayed by light from the light source.

The italicized text has not been included verbatim in amended claim 4.

Except for the underscored words, original claim 4 reads as follows:

An optical display apparatus according to claim 1, wherein the light having the information of the object is reconstructed light obtained by reconstructing a transmission-type hologram which is formed by: object light obtained by irradiating the object which is positioned between a slit and the transmission-type hologram with diffused light having passed through the slit; and irradiation light

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having an incident optical path different from that of the object light.

The only words included in amended claim 4 that do not appear verbatim in original claims 1 and 4 are

“which is positioned between a slit and the transmission-type hologram”

The Examiner is requested to confirm that this and only this is the new matter introduced into the disclosure or to indicate specifically what words in amended claim 4 introduce new matter into the disclosure.

The rejection of claim 4 under 35 U.S.C. 112, first paragraph, is based entirely on the new matter contention. The new matter contention, in turn, appears to be based on the last two lines in the first paragraph of Paragraph 5 of the Office Action where the Examiner appears to be questioning the operability of the invention. No such question has been raised previously against original claim 4. The Examiner is requested to explain how the amendment of claim 4 necessitated the new ground of rejection under 35 U.S.C. 112, first paragraph.

In the rejection of claims 4 through 7, 13 and 15 through 18 under 35 U.S.C. 112, second paragraph, the Examiner states that the phrases “reconstructed image” and “reconstructed light” *appear* to be confusing and the phrases “reconstructed light of a transmission-type hologram” and “one direction of the hologram” *appear* to be vague and indefinite. Words that *appear* to be confusing or vague and indefinite also can *appear* to be clear, not vague and definite.

The phrases to which the Examiner has made reference in the Section 112, second paragraph, rejection were not introduced for the first time in the Amendment dated April 13, 2001, so that this ground of rejection was not necessitated by Applicants' amendments made in the Amendment of April 13,

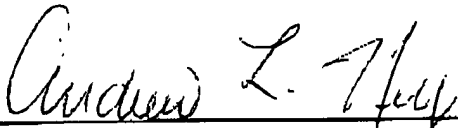
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2001. This ground of rejection could have been made but was not made previously.

In view of the foregoing remarks, the Examiner is requested to withdraw the final rejection and make the July 6, 2001 Office Action a non-final action.

Respectfully Submitted,

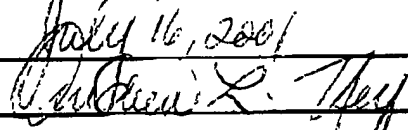
  
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Dated: July 16, 2001

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The Assistant Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

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July 16, 2001